

Broward County, FL  
Ch 27-10 Storage Tanks  
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## CHAPTER 27-10 STORAGE TANKS

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#### Section 27-10.01 Declaration of Intent

The Broward County Environmental Quality Control Board (EQCB), in order to protect the waters of Broward County (county), declares that the discharge of hazardous materials from storage tank facilities to ground and surface waters constitutes pollution of the waters of the county and that such discharge is prohibited. The policy inherent in this prohibition shall be to protect the county ground and surface waters from contamination with hazardous materials.

Storage tank facilities that contain or will contain solid and liquid hazardous materials shall be regulated by the EQCB to prevent discharge to the ground and surface waters of the county, and to provide specifications for facility design; to provide for early detection of discharge, to provide for containment of discharge, to provide for recovery of discharge, and to provide for maintenance, replacement, and closure.

Added 05/09/84 (Reg. 84-3).

#### Section 27-10.02 DEFINITIONS

1. Abandonment means to voluntarily allow, suffer, or permit a storage tank facility to remain unattended, unlicensed, or out of service for more than one year.

Added 05/09/84 (Reg. 84-3).

2. Containment Barrier means a product tight structure or membrane that surrounds and underlies a storage tank facility's components in such a way that any discharge from the facility components is prevented from reaching the soils and waters outside the barrier.

Added 05/09/84 (Reg. 84-3).

3. Dike means a product tight embankment or ridge used to prevent the lateral movement of any discharge from a facility.,

Added 05/09/84 (Reg. 84-3).

4. Industrial Engineer means an employee of a facility owner whose duties include the supervision of construction and inspection of underground facilities.

Added 05/09/84 (Reg. 84-3).

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5. Integral. Piping System means continuous on-site wetted pipes within the facility used in the transfer or transmission of hazardous materials to and from a storage tank.

6. One foot Drawdown Contour means the locus of points around a well or wellfield where the free water elevation is lowered by 1 foot due to the pumping of the well or wellfield.

Added 05/09/84 (Reg. 84-3).

7. Public Water Supply Utility means any privately or municipally owned system providing water service to the public which has at least 15 service connections or regularly serves an average of at least 25 individuals daily for at least 60 days of the year.

Added 05/09/84 (Reg. 84-3).

8. Storage Tank Facility means any combination of storage tanks, piping, pumps, appurtenances, containment barriers, and other associated equipment used to receive, contain, store and dispense hazardous liquids, sludges, and solid materials. For the purpose of Section 27-10, storage tank facilities shall not include sanitary sewerage collection, transmission, and treatment systems, or public water storage, treatment, or distribution systems.

Added 05/09/84 (Reg. 84-3).

9. Trial Period means a period of time allowed under a construction license during which a facility may be operated. During the trial period any necessary equipment testing, adjusting and repair shall be performed to insure that the facility will operate in accordance with these regulations.

Added 05/09/84 (Reg. 84-3).

10. Underground Tank means any storage tank which is entirely or partially underground.

Added 05/09/84 (Reg. 84-3).

#### Section 27-10.03 Prohibition

##### .031 Discharge

a. It shall be a violation for any person for any reason, to cause; permit, suffer or allow the

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discharge of any hazardous materials from storage tank facilities to the ground, ground water, or surface waters of the County.

b. These discharge prohibitions shall apply to storage tank facilities at terminal facilities as described and allowed under chapter 376 Florida Statutes, 1983, as amended.

Added 05/09/84 (Reg. 84-3).

##### .032 Tampering With or By-Passing Discharge Prevention and Detection Systems

It shall be a violation for any person to cause, permit, suffer, or allow tampering with or by-passing a storage tank facility's discharge prevention or detection systems, except as necessary for maintenance or testing of the system.

Added 05/09/84 (Reg. 84-3).

##### .033 Certificate of Occupancy and Approvals for Use

No municipal or County agency shall issue any approval for use of any storage tank facility constructed under an EQCB license until notified that the storage tank facility's As-built drawings have been reviewed and the facility approved.

Added 05/09/84 (Reg. 84-3).

##### .034 Abandonment

No person shall abandon a storage tank facility that has been used to store hazardous materials without performing a licensed closure. (See Section 27-5.11)

Added 05/09/84 (Reg. 84-3).

#### Section 27-10.04 REQUIRED LICENSES AND APPROVALS TO CONSTRUCT AND

## OPERATE

### .041 General

- a. No storage tank facility shall be covered by more than one license, required under Section 27-10.04, at any one time.
- b. License transfer. See section 27-3.12.

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- c. Storage tanks for residential or non-residential use designed to contain 550 gallons or less of dual purpose fuel oil, waste oil, kerosene and clean lubricating oils shall be exempt from the licensing requirements of this chapter.

Added 05/09/84 (Reg. 84-3).

### .042 Operating Licenses

- a. Under this section, with regard to gasoline and diesel fuel service stations, the operator, instead of the owner, shall apply for the operating license.
- b. Prior to any person operating any storage tank facility that stores or is to store hazardous materials, the owner of the facility shall obtain a Storage Tank Facility Operating License except as specified in subsection (a) of this Section.
- c. Except as specified in subsection (a) of this section, the owner of any operating storage tank facility that stores hazardous materials and exists on the date of the adoption of this Section, and the owner of any storage tank facility that is to store hazardous materials and is under construction on the date of the adoption of this Section shall apply for a Storage Tank Facility Operating License within one hundred and eighty (180) days after the adoption of this Section.
- d. Except as specified in subsection (a) of this section, the licensee of any storage tank facility that is constructed in compliance with a Storage Tank Facility Construction License shall apply for a Storage Tank Facility Operating License after completion of construction and no later than 30 days prior to the expiration date of the Construction License. However, the Operating License shall be denied if the storage tank facility has not been constructed in accordance with the Construction License.

Added 05/09/84 (Reg. 84-3).

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### .043 Construction Licenses

- a. Under this section, with regard to gasoline and diesel fuel service stations, the owner of the station or the owner's agent shall apply for the construction license.
- b. A Storage Tank Facility Construction License shall be obtained prior to any person building, erecting, altering, or replacing in whole or in part any storage tank facility that is to store hazardous materials. This provision does not apply to normal routine maintenance procedures.
- c. A storage tank facility that was taken out of service prior to the date of adoption of this Section and is to be placed back into service shall obtain a construction license.
- d. Prior to any person causing, allowing, permitting, or suffering the placement of any hazardous materials in a storage tank facility covered by a construction license, As-built drawings of the facility must be approved. However, the requirement for providing As-built drawings on projects not requiring a professional engineer's signature on the application, per Section 27-3.04(2), is waived. The As-built drawings when required shall be signed and sealed by a professional engineer registered in the State of Florida. As-built drawings shall not be approved unless the constructed facility has been built as-licensed.
- e. A construction license shall provide a 90 day trial period after the approval of the As-built drawings. During the trial period the licensee shall perform testing, sampling, analysis, and adjustments to assure the facility will comply with the Regulations. A detailed report of the compliance assurance activities and results shall be provided by the licensee for evaluation along with the application for the facility's Operating License or with any request for extension of the Construction License.

Added 05/09/84 (Reg. 84-3), Revised 04/24/85 (Reg. 85-1), Revised 04/24/85 (Reg. 85-2).

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.044 Closure Licenses

When any storage tank facility that was used to store hazardous materials is to be or has been permanently removed from use, the licensee shall perform a closure on the storage tank facility and site. Prior to performing a closure on such a site, the licensee shall obtain a Storage Tank Facility Closure License.

Added 05/09/84 (Reg. 84-3).

## Section 27-10.05 LICENSE APPLICATIONS

### .051 General

Application for Storage Tank Facility Licenses shall conform to the requirements of Section 27-3.04.

Added 05/09/84 (Reg. 84-3).

.052 All operation and construction license applications, except those for gasoline service stations, shall provide the following information on the application form and accompanying documentation.

a. A description of the storage tank facility:

1. Tank configurations; dimensions, capacities; materials of construction (See Section 27-10.11) location of manholes, inlets, and outlets; etc.
2. Piping configuration, location of pumps and other appurtenances
3. Provide containment barrier details where applicable. (See Section 27-10.07)
4. Plan view that shows the relative locations of the tanks, their appurtenances, and discharge containment barriers
5. Location of potable water wells within a one mile radius of the facility
6. Location of water table with respect to MSL (NGVD)
7. Location of surface water bodies within one half mile radius

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8. A description of the paths of storm water run-off from the facility.
9. The State Plane Coordinates or the latitude and longitude of the facility.
10. A narrative discussing how the facility is to be operated, including anticipated volumes to be handled on a daily basis for each material to be stored.

b. A description of the materials to be stored

1. Their International Union of Pure and Applied Chemistry (IUPAC) chemical names
  2. The quantities involved
  3. Their physical, chemical, and hazardous properties
- c. A storage tank facility discharge prevention program. For underground storage tank facilities the program shall include fail safe devices to prevent or minimize discharges from ruptures, overflow, excessive pressure, etc. (See Section 27-10.09 Pipeline Leak Detectors, Section 27-10.10 Overflow & Excess Pressure Prevention, Section 27-10.11 Construction

Materials and Methods, 27-10.13 Pressure Testing.)

d. A storage tank maintenance plan that is designed to minimize the possibility of discharge. For underground tanks, periodic pressure testing shall be part of the maintenance program. (See Section 27-10.12 Pressure Testing)

e. A discharge detection plan that is designed to provide for early warning of discharges. (See Section 27-10.08 Monitoring Wells, Section 27-10.09 Line Leak Detectors and Section 27-10.062(b) Inventory).

f. An emergency plan that describes the procedures and equipment to be used in the event of discharge to contain and recover hazardous materials.

g. A closure plan that meets the requirements of Sections 27-5.11(3) and 27-5.11(4) (b through e).

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h. For Construction License applications -- a schedule of construction and trial periods.

I. Any construction or engineering plans shall be prepared by a professional engineer registered in the State of Florida. All plans shall have affixed the signature, seal, and registration number of the registered engineer.

Added 05/09/84 (Reg. 84-3).

.053 Operation and construction license applications for gasoline service stations shall provide the information required in Section 27-10.052(a) as follows:

Item numbers (1), (2), (3), (4), (9), (10).

The requirements of Section 27-10.052(b) through (I) shall apply.

Added 05/09/84 (Reg. 84-3).

.054 Closure License applications shall provide the following information:

a. Documentation that shows that the requirements of Sections 27-5.11(3) and 27-5.11(4) (b through e) will be met.

b. A schedule of events to complete the closure.

Added 05/09/84 (Reg. 84-3).

Section 27-10.06 LICENSE CONDITIONS



## 061. General Conditions

The provisions specified in Section 27-3.05 shall apply.

Added 05/09/84 (Reg. 84-3).

## .062 Operating License Conditions

### a. Closure

The requirements of Section 27-5.11 and 27-10.044 shall apply.

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### b. Daily Inventory

The licensee shall be required to maintain a daily inventory of the hazardous materials placed into, removed from, and remaining in each storage tank of each licensed storage tank facility. The inventory shall be in accordance with the methods and practices in publication 1621 "Recommended Practice for Bulk Liquid Stock Control at Retail Outlets", Third Edition, American Petroleum Institute, 1977, Washington, D.C., or other approved methods and practices. Inventory discrepancies shall be reconciled daily. In the event that the total discrepancy exceeds 0.5% per day of the storage tank capacity continuing over any 5 day period, such discrepancy shall be reported to the EQCB. In lieu of daily inventory control, an electronic detection system may be considered as an alternative.

### c. Discharge Monitoring Devices

The licensee shall be required to check all required discharge monitoring devices daily to determine if they are operating properly. A daily log shall be maintained by the licensee of the discharge monitoring device checks. The log shall be accessible for review by EQCB personnel at the storage tank facility at any reasonable time.

### d. Monitoring Well Sampling

Sampling, laboratory analysis, and reporting shall be in accordance with the schedule set out in the license conditions.

### e. Maintenance

The licensee shall be required to maintain the storage tank facility, its discharge monitoring devices, its monitoring wells, and its containment barrier in such condition that they operate as licensed. The facility and any portion of the facility shall be required to be maintained product tight. Periodic pressure testing shall be required as specified in Section 27-10.12.

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f. Summary Reports to EQCB

The licensee shall be required to provide periodic summary reports regarding inventory discrepancies, results of monitoring device checks, monitoring well sample analysis results, and maintenance activities. The frequency of the summary reports shall be based on the nature of the materials stored, the age of the storage tank facility, the history of the storage tank facility with regard to discharges, and other pertinent characteristics with regard to potential for discharge.

g. Discharges

The licensee shall be required to report any discharge to the area between the storage tank facility and its containment barrier, or to ground or surface waters. In addition the licensee shall be required to take appropriate action to stop and recover discharges. Discharges shall be reported verbally within 24 hours of their detection followed within 3 days by a detailed written report that describes the discharge, actions taken to stop it, immediate actions taken to recover it, and actions taken to prevent recurrence.

h. Emergency Plan

The licensee shall be required

1. To provide an emergency plan explaining actions to be taken in the event of a discharge.
2. To update the emergency plan to reflect operation and equipment changes..
3. To take actions to implement the emergency plan in the event of a discharge.

Added 05/09/84 (Reg. 84-3).

.063 Construction License Conditions

a. Operation During Trial Period

During the trial period the requirements of Section 27-10.062 and 27-10.043(d) shall apply.

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b. Application for Operating License

The requirements of Section 27-10.042 and 27-10.043(d) shall apply.

c. As-Built Drawing Approval

The requirements of Section 27-10.043 shall apply.

Added 05/09/84 (Reg. 84-3).

.064 Closure Licenses

The requirements of Section 27-5.11(4) (b through e) shall apply.

Added 05/09/84 (Reg. 84-3)

Section 27-10.07 CONTAINMENT BARRIERS AS REQUIRED BY LICENSE UNDER THIS SECTION

.071 General

- a. Containment barriers shall be product tight and be of sufficient size to contain 120 percent of the volume of the largest storage tank in the storage tank facility within the containment barrier.
- b. Underground containment barriers shall be of such configuration to accommodate monitoring wells and recovery wells within the containment area.
- c. Dikes shall extend a minimum of 1 foot below the deepest part of the facility that is in contact with the materials stored.
- d. Containment barriers shall extend below all components of the storage tank facility.
- e. Containment barriers shall be designed to control storm drainage that becomes trapped within the confines of the barrier in such a manner that ground and surface waters outside the barrier do not become contaminated by any discharge from a storage tank facility.
- f. The one-foot drawdown contour of a public water supply well shall mean as depicted on the

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December 15, 1983 (or subsequent revisions) Broward County Wellfield Protection Program Official Zone Maps. Where the 210 day travel time contour has been depicted instead of the one-foot drawdown, it shall be used. For public water supply wells that have not been mapped, the one-foot drawdown contour will be approximated using the following method:

The drawdown in hydraulic head of the aquifer at distance  $r$  from a well at time  $t$  after the start of pumping of the well may be approximated by:

$$h-h_l = (Q/4*3.14*T)*W(u)$$

where the aquifer properties, transmissivity ( $T$ ) and storativity ( $S$ ), and the pumping rate ( $Q$ ) are known.  $W(u)$  is the integral known as the well function and  $u = r^2*S/4*T*t$ .  $W(u)$  may be

looked up in Table 8.1 (page 318) of Groundwater, 1979, by R. Allen Freeze and John A. Cherry, Prentice-Hall, Inc., Englewood Cliffs, N.J. 07632.

Added 05/09/84 (Reg. 84-3).

.072 Existing Storage Tank Facilities (existing or under construction on the date of adoption of this Section)

a. Where the storage tank facility is totally or partially within the one-foot drawdown contour of a public water supply well or in an area not within an assigned service area of a public water supply utility, and where the storage tanks are constructed of metal that is not cathodically protected, the facility shall have a containment barrier that prevents any discharge from the facility from reaching the ground water outside the barrier. All storage tank facilities shall have containment barriers installed within 7 years of the adoption of this Regulation and not less than 10% of the facilities shall be modified per year, except that owners of single facilities shall have 3 years to comply, two facilities shall have 4 years, three facilities shall have 5 years, four facilities shall have 6 years, all others must comply within 7 years.

1. Underground storage tank facilities that are constructed of fiberglass, or cathodically protected metal, steel clad with glass fiber-reinforced plastic, double walled steel or plastic or other approved

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materials, and that are inert to the product to be stored, shall be exempt from (a) above provided that:

a. the facility shall be pressure tested if there is any indication that the facility is leaking.

b. the monitoring wells shall be equipped with continuous automatic leak detection devices. These devices shall be tested daily for proper maintenance and operation.

c. containment barriers must be installed within 15 years of the date of adoption of this regulation.

2. Above ground storage tank facilities shall provide a dike within 3 years of the adoption of this regulation. In addition, the interior bottom and at least 18" of the interior sides joining the bottom of each tank shall be coated with a glass fiber-reinforced epoxy coating, or coating of other approved material, within 5 years of the date of adoption of this regulation.

b. Where the storage tank facility is completely outside of the one-foot drawdown contour of a public water supply well and in an area within an assigned service area of a public water supply utility:

1. Underground storage tank facilities shall not be required to have containment

barriers. However, this does not exempt these facilities from compliance with the other provisions of this chapter.

2. Above ground storage tank facilities shall provide a dike within 3 years of the adoption of this regulation. In addition, at least one of the following shall be provided within 5 years of the date of the adoption of this regulation:

a. The entire bottom of each tank shall be coated with a fiberglass-reinforced epoxy coating or coating of other approved material; or

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b. a groundwater monitoring plan submitted and implemented for the pollution storage facilities in accordance with the requirements of Ch. 17-4.425 FAC; or

c. a copy of spill prevention control and countermeasure plan for pollutant storage facility as required by 40 CFR 112; or

d. the portion of the tank in contact with the soil corrosion protected in accordance with NACERP 01-69.

Added 05/09/84 (Reg. 84-3).

#### .073 New and Replacement Storage Tank Facilities

a. All new or replacement storage tank facilities within the one-foot drawdown contour of a well field or in an area not within an assigned service area of a public water supply utility, shall have containment barriers.

b. All new or replacement storage tank facilities outside the one-foot drawdown of a well field and in an area within an assigned service area of a public water supply utility shall be constructed of cathodically protected steel, glass fiber-reinforced plastic, steel clad with glass fiber-reinforced plastic, double walled steel or plastic or other approved materials.

Added 05/09/84 (Reg. 84-3).

#### Section 27-10.08 MONITORING WELLS AS REQUIRED BY LICENSE UNDER THIS SECTION

##### .081 General

a. All existing storage tank facilities shall install monitoring wells within 1 year of the date of adoption of this regulation.

b. All new or replacement storage tank facilities shall install monitoring wells as required by the license conditions.

c. The number of monitoring wells required shall be based on the size and configuration of the facility.

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d. Above ground storage tank facilities where the bottom of the tanks are not in contact with the ground are exempt from this section.

Added 05/09/84 (Reg 84-3).

#### .082 Location

a. Where an underground containment barrier is required the monitoring wells shall be between the barrier and the tanks. If appropriate, additional wells shall be located to detect underground pipeline and containment barrier discharges.

b. Where an underground containment barrier is not required the storage tank discharge monitoring wells shall be within 10 feet of the storage tanks. In addition, wells shall be located to detect underground pipeline discharges.

Added 05/09/84 (Reg. 84-3).

#### .083 Design

a. Monitoring wells installed before the effective date of this Regulation may be used as a part of a monitoring system as approved.

b. Monitoring wells used shall be designed to meet the following specifications, or shall be a part of an approved groundwater monitoring plan for the facility pursuant to Chapter 17-4.245 FAC.

c. The well casing shall:

1. be a minimum of two (2) inches in diameter;
2. be slotted from the bottom to at least two (2) feet above the normal annual high water table;
3. have a minimum slot size of .010 inches;
4. be completed by backfilling with appropriate clean filter pack or wrapping in an appropriate filter cloth to prevent clogging under soil conditions where silty fines will blind the minimum slot size;

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5. be constructed of schedule 40 PVC or other material which is impervious to the

pollutant stored;

6. be sealed into the bore hole at the surface with an impervious barrier designed to prevent contamination of the well by surface pollutants and damage to the well;

7. be equipped with a watertight cap; and

8. be of sufficient length that:

a. the bottom of the casing shall be at least five (5) feet below the water level at the time of drilling but no deeper than 25 feet; or

b. the casing shall extend to within six (6) inches of the bottom of a secondary containment, but shall not contact the containment.

d. If water enters the well, the well shall be developed upon drilling until the water is clear and relatively sand free by overpumping, bailing, surging with compressed air, backwashing, a combination of the above, or other approved methods.

Added 05/09/84 (Reg. 84-3).

#### .084 EQCB Access to Monitoring Wells

The monitoring wells shall be available for sampling by the EQCB at any reasonable time.

Added 05/09/84 (Reg. 84-3).

#### .085 Self-Compliance Monitoring Requirements

a. Weekly sampling, examination, and testing

1. The operator of storage facilities storing or transmitting petroleum hydrocarbons shall use gasoline finding paste or electronic hydrocarbon detectors or other comparable method and shall test at a frequency of not less than once per week. The operator of a storage tank facility which stores hazardous materials, other

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than petroleum hydrocarbons, shall test the monitoring wells as specified in the license conditions.

2. Results shall be logged into the daily inventory report.

3. If results indicate a discharge the licensee shall notify the PCO and take action per Section 27-10.062(g).

b. Laboratory Testing

1. Sampling, laboratory analysis, and reporting shall be in accordance with the schedule set out in the license conditions.

Added 05/09/84 (Reg. 84-3).

Section 27-10.09 STORAGE TANK FACILITY INTEGRAL PIPING SYSTEM LEAK DETECTORS

.091 Integral piping system leak detectors shall be installed as required to detect leakage and automatically shut off flow to leaking lines in storage tank facilities.

a. All gasoline and diesel fuel service stations shall install integral piping system leak detector systems within one year of the date of adoption of this section. All storage tank facilities that store materials other than gasoline and diesel fuel shall install integral pipeline system leak detectors as required. This requirement does not apply to vacuum or suction type systems.

b. New storage tank facilities shall have integral piping system leak detector systems as required.

Added 05/09/84 (Reg. 84-3).

092. Flow shutoffs caused by integral piping system leak detectors shall be investigated by the licensee and if it is determined that a discharge has occurred it shall be reported and appropriate action taken per Section 27-10.062(g).

Added 05/09/84 (Reg. 84-3).

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.093 All flow shutoffs caused by integral piping system leak detectors shall be logged with the daily inventory report. The log shall indicate the line involved, the time of the shutoff, the name of the investigator, the findings, the materials discharged, the actions taken, and the time the line was placed back in service.

Added 05/09/84 (Reg. 843).

Section 2710.10 OVERFLOW AND EXCESS PRESSURE PREVENTION

.101 All storage tank facilities shall be provided with systems to prevent overfilling and to prevent excess pressures.

a. All gasoline and diesel fuel service stations shall install overflow prevention systems within one year of the date of adoption of this section. All storage tank facilities that store



materials other than gasoline and diesel fuel shall install overflow and excess pressure prevention systems as required.

b. New storage tank facilities shall have overflow and excess pressure prevention systems as required.

Added 05/09/84 (Reg. 843).

.102 The overflow and excess pressure prevention systems shall include both automatic and manual shutoff or other approved system.

Added 05/09/84 (Reg. 84-3).

.103 Failures of the systems to prevent discharge shall be reported by the licensee and action shall be taken by the licensee according to Section 27-10.062(g)

Added 05/09/84 (Reg. 843).

104. All system failures resulting in discharge shall be logged with the daily inventory report and manifest the time of the event, the persons involved, the materials discharged, the amount discharged and the actions taken.

Added 05/09/84 (Reg. 84-3).

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#### Section 27-10.11 CONSTRUCTION MATERIALS AND METHODS

.111 Storage tank facilities shall be designed and constructed in accordance with:

- a. The South Florida Building Code,
- b. Publication 1615, "Installation of Underground Petroleum Storage Systems", American Petroleum Institute, November, 1979, Washington, D.C., as amended
- c; NFPA 30 "Flammable and Combustible Liquids Code 1981", National Fire Protection Association, November 20, 1980, Quincy, Mass., as amended;
- d. Chapter 17-61 F.A.C. as applicable.

Added 05/09/84 (Reg. 84-3).

#### Section 27-10.12 PRESSURE TESTING

.121 Methods

Required pressure tests shall be performed in accordance with the National Fire Protection Association (NFPA) Recommended Practice Number 329 or other approved procedures. Underground storage tanks shall be tested at no less than three pounds per square inch. Pipes and other appurtenances shall be tested at no less than 150 percent of their working pressure.

Added 05/09/84 (Reg. 84-3).

#### .122 Schedule

- a. Storage tanks under construction licenses shall be tested prior to any material being stored in the tanks.
- b. Storage tanks shall be tested prior to applying for first storage tank facility operating license. However, in place of the pressure test, approved monitor wells may be installed immediately and hydrocarbon finding paste or electronic hydrocarbon detectors or other comparable method can be used to indicate the facility is not leaking.

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- c. Storage tanks being operated under a storage tank facility operating license shall be tested annually. However, storage tanks constructed of fiberglass or cathodically protected metal, steel clad with glass fiber-reinforced plastic, double walled steel or plastic or other approved design and are inert to the products stored shall be pressure tested only if there is any indication that the facility is leaking.

Added 05/09/84 (Reg. 84-3), Revised 10/24/84 (Reg. 84-9).

#### .123 Report of Results to EQCB

- a. The test results for tests performed on storage tanks under a construction license shall be reported in writing along with the As-built drawings. The test results shall be certified by the person who performed the testing.
- b. The test results shall be submitted in writing along with the application for the first storage tank facility operating license.
- c. For storage tank facilities under an operating license, test results shall be submitted no later than 30 days after the test.

Added 05/09/84 (Reg. 84-3).

#### .125 Discharge from Storage Tank

In the event that a tank pressure test indicates a discharge, the licensee shall follow the requirements of Section 27-5.10.062(g) and 27-5.11 for the tank and its appurtenances. No material shall be stored in the tank until licensed closure and repair or replacement has been

completed.

Added 05/09/84 (Reg. 84-3).

## Section 27-10.13 FEE SCHEDULE

### .131 General

a. All applicants for Storage Tank Facility Construction Licenses shall pay a non-refundable filing fee of one hundred dollars (\$100.00). All applicants for Storage Tank Facility Operating Licenses shall pay a non-refundable

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filing fee of \$50.00. All applicants for Storage Tank Facility Closure Licenses shall pay a non-refundable filing fee of fifty dollars (\$50.00). The filing fee shall be applied against other fees prescribed for the issuance of the license. The filing fee shall be paid prior to acceptance of the permit application for review.

b. If an application for a Storage Tank License is canceled by the applicant or denied the filing fee shall not be refunded nor applied to any other license application.

Added 05/09/84 (Reg. 84-3), Revised 06/26/85 (Reg. 85-3) (effective 10/01/85).

### .132 Operating Licenses

All applicants for Storage Tank Operating Licenses shall pay a license fee of one half of the fees specified in the fee schedule under Section 27-10.133 prior to issuance of the license.

Added 05/09/84 (Reg. 84-3).

### .133 Construction Licenses

All applicants for Storage Tank Facility Construction Licenses shall pay a license fee according to the following schedule prior to issuance of the licensee

DESIGN CAPACITY	FEE PER TANK
0 - 1,000 Gal.	\$15.00
1,001 - 5,000 Gal.	\$25.00
5,001 - 7,500 Gal.	\$45.00
7,501 - 10,000 Gal.	\$75.00
10,001 - 75,000 Gal.	\$175.00
75,001 - 150,000 Gal.	\$250.00
150,001 - 350,000 Gal.	\$350.00
Above 350,000 Gal.	\$500.00

Added 05/09/84 (Reg. 84-3).

#### .134 Closure Licenses

All applicants for Storage Tank Facility Closure Licenses shall pay a fee equal to the fees specified

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in the schedule under Section 27-10.133 prior to the issuance of the license.

Added 05/09/84 (Reg. 84-3), Revised 06/26/85 (Reg. 85-3) (effective 10/01/85).

#### .135 License Transfer

When an application is filed for a Storage Tank Facility License to operate or construct by reason of transfer from one person to another and where a license to construct or operate has previously been granted for the storage tank facility and no alteration. or replacement without a license to construct or operate has been made the applicant shall pay only a filing fee of fifty dollars (\$50.00).

Added 05/09/84 (Reg. 84-3).

#### Section 27-10.14 EXEMPTIONS

Notwithstanding anything contained in this Code of Regulations, Storage Tank Facilities, as defined herein, and listed in 27-3.03(3)(a) through (I) are exempt from the provisions of Sections 27-10.04 through 27-10.13. Nothing contained herein shall be construed to provide an exemption from the discharge and tampering prohibitions of Sections 27-10.031 and 27-10.032.

Added 05/09/84 (Reg. 84-3).

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